HABEAS CORPUS

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PETITION FOR A WRIT OF HABEAS CORPUS BY A PERSON IN S' Prisoner Number F-21197/A: 4.6711/EOP/CN. 228/POB. M. 260066 Institutional Address 2 SPAT SAC/FOL. Reprose, CALFF. 95670-0066 E-filing ORTHERN DISTRICT OF CALIFORNIA (Enter the full name of plaintiff in this action.) (To be provided by the clerk of court) J. WALTERS, WARDEN (SP-AT PETITION FOR A WRIT

Read Comments Carefully Before Filling In

When and Where to File

SACRAMENTO/FOLSOM

(Enter the full name of respondent(s) or jailor in this action)

You should file in the Northern District if you were convicted and sentenced in one of these counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo and Sonoma. You should also file in this district if you are challenging the manner in which your sentence is being executed, such as loss of good time credits, and you are confined in one of these counties. Habeas L.R. 2254-3(a).

If you are challenging your conviction or sentence and you were not convicted and sentenced in one of the above-named fifteen counties, your petition will likely be transferred to the United States District Court for the district in which the state court that convicted and sentenced you is located. If you are challenging the execution of your sentence and you are not in prison in one of these counties, your petition will likely be transferred to the district court for the district that includes the institution where you are confined. Habeas L.R. 2254-3(b).

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1	3. Did you have any of the following?
2	Arraignment: Yes _ No
3	Preliminary Hearing: Yes No
4	Motion to Suppress: VNIC Yes (No The CT Herring
5	4. How did you plead?
6	Guilty Not Guilty _< Nolo Contendere
7	Any other plea (specify)
8	5. If you went to trial, what kind of trial did you have?
9	Jury _X Judge alone Judge alone on a transcript
10	6. Did you testify at your trial? Yes No ×
11	7. Did you have an attorney at the following proceedings: No (9 A O M. Origotto) (a) Arraignment Yes No No
12	
13	(b) Preliminary hearing Yes No
14	(c) Time of plea Yes No
15	(d) Trial Yes <u>*</u> No
16	(e) Sentencing Yes _ No
17	(f) Appeal (virt Yes) (No)
18	(g) Other post-conviction proceeding
19	8. Did you appeal your conviction? Yes No
20	(a) If you did, to what court(s) did you appeal?
21	Year: (1006) Result: Pzytilip ovder Reductioner Jean
22	Year: 1006) Result: Pzytering order Reductioner Iran
23	Supreme Court of California Yes No
24	Supreme Court of California Yes No Year: 10007): Result: De Nied-A-Herring
25	Any other court Yes No
26	Year: 1008 Result: HOPEFOLLY, Panding (TNG.
27	(b) If you appealed, were the grounds the same as those that you are raising in this
28	(b) If you appealed, were the grounds the same as those that you are raising in this

		~
1	3. Did you have any of the following?	
2	Arraignment:	Yes _
3	Preliminary Hearing:	Yes No
4	Motion to Suppress:	Yes (Do
5	. 4. How did you plead?	
6	Guilty Not Guilty 🗶 N	olo Contendere
7	Any other plea (specify)	/ / /
8	5. If you went to trial, what kind of trial did y	ou have?
9	Jury <u>K</u> Judge alone J	adge alone on a transcript
10	6. Did you testify at your trial?	Yes No <u>×</u>
11	7. Did you have an attorney at the following p	Yes No No Original Or
12	(a) Arraignment	Yes _ No
13	(b) Preliminary hearing	Yes No
14	(c) Time of plea	Yes No
15	(d) Trial	Yes <u> </u>
16	(e) Sentencing	Yes No
17	(f) Appeal	UNIT (es) (No)
18	(g) Other post-conviction proceed	ling (gs 126 1274
19	8. Did you appeal your conviction?	Yes No
20	(a) If you did, to what court(s) did	you appeal?
21	Court of Appeal 57 x 4 0	No
22		Protestip order Reductions In
23	Supreme Court of California	Yes No No
24	Year: () 007) · Result	Yes No No No No New John Sulva
25	Any other court	Yes _ >´ No
26	Year: 1008 Result	HOPEFULLY, PENding (VNG.
27	FEO CI	SEA JOIC, CLL. IS, CT
28	(b) If you appealed, were the grou	nds the same as those that you are raising in this

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1	petition? Not Exitly Test Felt That The profit Atty were Too incarpacte profit Atty were Too inc
2	(c) Was there an opinion? Yes Y No Turk creat
3	(d) Did you seek permission to file a late appeal under Rule 31(a)?
4	NA Yes NO NOTI-IF CO.
5	If you did, give the name of the court and the result:
6	N(A, f)
7	
8	9. Other than appeals, have you previously filed any petitions, applications or motions with respect to
9	this conviction in any court, state or federal? Yes No
10	[Note: If you previously filed a petition for a writ of habeas corpus in federal court that
11	challenged the same conviction you are challenging now and if that petition was denied or dismissed
12	with prejudice, you must first file a motion in the United States Court of Appeals for the Ninth Circuit
13	for an order authorizing the district court to consider this petition. You may not file a second or
14	subsequent federal habeas petition without first obtaining such an order from the Ninth Circuit. 28
15	U.S.C. §§ 2244(b).]
16	(a) If you sought relief in any proceeding other than an appeal, answer the following
17	(a) If you sought relief in any proceeding other than an appeal, answer the following the two
18	I. Name of Court: Sce Supercor La. 10. 36 - 2. 88
19	Type of Proceeding: Russer Co Re (12 10-0 F Franks (Property
20	Grounds raised (Be brief but specific):
21	a. The said Funds were those OF DEFT (wrong frech
22	b. w(1.
23	c. 6 (A.
24	d. NA. Desminalled-N-Severly Torn OXN-Recee
25	Result: The Petitions were between Date of Result: wor he star
26	II. Name of Court:
27	Type of Proceeding:
28	Grounds raised (Be brief but specific):

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(c)	petition? Was there an opinion? Did you seek permission to	MOTEY LOS Yes		+ FeH re Tou	That The
	Was there an opinion?			+ FEH (2 To 5 -	that (h)
	Was there an opinion?			KIP	The Contract of
		Yes.			WASLAGE
(d)	Did you seek permission to			No	AITHERA.
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}		N/A Yes)	· · · · · ·	M62	No II - IF C
	If you did, give the name o	of the court and the	result:		
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9. Other than appeals	, have you previously filed ar	ny petitions, applic	ations or m	otions w	ith respect to
il ' and delication in once	court state or federal?	Yes	4	No	-
challenged the same o	onviction you are challenging	now and if that pe	etition was	denied or	dismissed
with prejudice, you m	ust first file a motion in the U	nited States Court	of Appeals	for the N	linth Circuit
for an order authorizing	ng the district court to conside	r this petition. Yo	u may not:	file a seco	ond or
subsequent federal hal	peas petition without first obta	nining such an orde	er from the	Ninth Ci	rcuit. 28
U.S.C. §§ 2244(b).]		•		49	
(a) If you	sought relief in any proceeding	ng other than an ap	peal, answ	er the fol	lowing
questi	ons for each proceeding. Att	tach extra paper if	you need i	nore spa	CE. LETORITA
I.	Name of Court: Sce Sc	petror CT. (1	7. 36 - 6.	40- 57.	J.F. CL.
	Type of Proceeding: R., 4.	(Fu (1 Re (ez 10	-OFF	ds (Pro	porty
			. 79	Br The A	TV OFE WENCO
	a. The szid Funds	were those	BFACET	/ luron	FFLLLY
	b. w(1.			1	 ·
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	Result: The Political	were leterace	Date of I	Result <i>0</i>	Nove Acetac
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	this conviction in any [Note: If you challenged the same of with prejudice, you may for an order authorizing subsequent federal half U.S.C. §§ 2244(b).] (a) If you questing	9. Other than appeals, have you previously filed at this conviction in any court, state or federal? [Note: If you previously filed a petition for challenged the same conviction you are challenging with prejudice, you must first file a motion in the U for an order authorizing the district court to consider subsequent federal habeas petition without first obtain the U.S.C. §§ 2244(b).] (a) If you sought relief in any proceeding questions for each proceeding. At I. Name of Court: Scarle Grounds raised (Be brief both a. The Sail Funds Both A. The	If you did, give the name of the court and the wild A, 9. Other than appeals, have you previously filed any petitions, applic this conviction in any court, state or federal? [Note: If you previously filed a petition for a writ of habeas of challenged the same conviction you are challenging now and if that pewith prejudice, you must first file a motion in the United States Court for an order authorizing the district court to consider this petition. You subsequent federal habeas petition without first obtaining such an order u.S.C. §§ 2244(b).] (a) If you sought relief in any proceeding other than an appropriate of the proceeding. Attach extra paper if the proceeding. Attach extra paper if the proceeding. Type of Proceeding. Result: Scillenged: West of the proceeding. The Scillenged: West of the proceeding. Result: The fettinger were fettinger.	If you did, give the name of the court and the result: Note: If you previously filed a petition for a writ of habeas corpus in fe challenged the same conviction you are challenging now and if that petition was with prejudice, you must first file a motion in the United States Court of Appeals for an order authorizing the district court to consider this petition. You may not subsequent federal habeas petition without first obtaining such an order from the U.S.C. §§ 2244(b).] (a) If you sought relief in any proceeding other than an appeal, answ questions for each proceeding. Attach Extra paper if you need in the court. If the first obtaining such an order from the Name of Court: If the first obtaining such an order from the Court. If the first obtaining other than an appeal, answ questions for each proceeding. Attach Extra paper if you need in the first obtaining such an order from the court. If the first obtaining of the court of the first of the first obtaining such an order from the U.S.C. §§ 2244(b).] [Name of Court: If the first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).] [Result The first obtaining such an order from the U.S.C. §§ 2244(b).]	9. Other than appeals, have you previously filed any petitions, applications or motions we this conviction in any court, state or federal? [Note: If you previously filed a petition for a writ of habeas corpus in federal courchallenged the same conviction you are challenging now and if that petition was denied or with prejudice, you must first file a motion in the United States Court of Appeals for the North Property of the North Proper

need more space. Answer the same questions for each claim.

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[Note: You must present ALL your claims in your first federal habeas petition. Subsequent petitions may be dismissed without review on the merits. 28 U.S.C. §§ 2244(b); McCleskey v. Zant, 499 U.S. 467, 111 S. Ct. 1454, 113 L. Ed. 2d 517 (1991).]

Claim One: Deff. Was Divied USL Rights By Becog Wild To A assert (Pseudo Charged-Trued-Ntonv. DEThe Siid, Hleged Videtion. For Amel Ja (contribled Supporting Facts: The Alleged Eye without (line will Ster AN Line dead, Face FIGURE I & - the Derte bred ART - were my high bricks top (lathery Juday) (W212, Mg 42 and Sty Derry cl- No Touch , mg [The police Bruft | 7 cg Deft Ad A lock Awy - w (o - A ky Bux (1 - red to for in Prant & Claim Two: Def Mante Charle (1-00 Bean Chronically Charge if with 220 Tust Belowse ANTAHANDON THE DIMENSIS, WILS Sty word & Away Evan The Food OF A Red. The To work, OFFice No Confoct or Myord of tay advince were, he are ungl Claim Three: (A) AThe book were leverly best time of The later of the FOR Frigure to Provide Resimente Supporting Killed Creme The wires Hite Supporting Facts: Electivity The 6-14 Wellted For towert Confict for I rates Ill Hate me at To Tray That Deft - W/o ADOUGH WISTHE PAN 1x They APT a 140 Ad Stort That 13.18 (AP. But on ly To love

If any of these grounds was not previously presented to any other court, state briefly which grounds were not presented and why:

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10	10 b. USC AM (1421) No ACEMBA BLE Was Evid (Sho man / Pe	LILELE Englice
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. 13	13 Result: Pending I Hoor-bott Date of Result:	UNIT
14	T. Name of Court	
15	The CD conditions	
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24	Name and location of court: FED US D CT, WWW D. GR CAL, ST CI	1- 8543-
	25 B. GROUNDS FOR RELIEF	
25		
	State briefly every reason that you believe you are being confined unlawfully. Gi	ve facts to
252627	What	

	thet you think are close factually to yours so that they
1	List, by name and citation only, any cases that you think are close factually to yours so that they
2	are an example of the error you believe occurred in your case. Do not discuss the holding or reasoning
. 3	of these cases:
4	For A Fret DOES Not MEN 200011 TO Proper Regulation Proper Frethings
. 5	But, The Viscomi Arethe Suprem her of- This Land w. My Tourth (Fith - 6=
6	IN-14 Ams. Was Severy Grantony Vacated
7	Do you have an attorney for this petition? Yes No
8	If you do, give the name and address of your attorney:
9	
10	WHEREFORE, petitioner prays that the Court grant petitioner relief to which s/he may be entitled in
11	this proceeding. I verify under penalty of perjury that the foregoing is true and correct. Belfine the
12	THE LIFE PLEINE UNTIL MINE
13	Executed on Avqus-115, 2008
	Date (08-20-08) Signature of Petitioner
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EXHIBIT COVER PAGE

EXHIBIT

Description if this exhibit:

A Re-Submission of Grounds / VSC VIOL ROAT MOVE COMPTERENSIVE AND Letter OF INGULTY - It Seem This CT. Already Rezected DEFL APPLICATION FOR PRET- OF-COUNSEL -- Dure-To Non Mcceptance UF Forma pauceres Affedent. Number of pages to this exhibit: Four pages Could-ros-Ber Found There In As wessignified - There wife

JURISDICTION: (Check One Only)

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		MUNICIPAL COURT	
	K	SUPERIOR COURT	
		APPELLATE COURT	
		STATE SUPREME COURT	
		UNITED STATES DISTRICT COURT	Ward
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		UNITES STATES SUPREME COURT	
		GRAND JURY	



	Case 4:08-cv-04068-8BA) Document Filed 08/26/2008 Page 10 of 28
£ .	TO: A. 2008 FROM:
	THE U.S. DIST. COURT, NEW DISTICAL.
4	TIO. THE-DERITE-DETHE-CLEAR THOMAS, JAMES ED WARD
5	THE FEDERAL COURTHOUSE BLD. F-21197/444 6BW (EDP (C. N.128)
6	AL DEU SOUTH FIRST STREET (SPATSACRAMENTOL FOLSOM
7	SAN JOSE, CALTEORNIA - P.D.B. K. 290066/560 E. NEXT MEST
8	95613 Represse PACTEORNIA-95670-
?	Sup (7 N. C). 6 F 35 / (/ E - 6 x a r C 7 r + 40) 49 7 8
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()	ALLAW PRACTISE USE /ELEMENTS NECESTARY REQUIRED-TO-PROVOKE-A
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15	TO WARRANT BEIN-HELD-TO-ANSWER A TRIAL PER U.S. CONS. GAU. AM.
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18_	THE FOLLOWING RELOW VIOLATIONS OF DEFF & GAURANTELO U.S. CONSTITE
t9 -	CLARACONATA DELTA THE LAW ENFORCEMENT AGENCY - D.A. OF SANTA -
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	AND CREATED. A-DELIBERATE MIS-CARRIAGE-OF-ESTABLISHED TUSTICE:
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3, -	Purported Assout Mustbe manifested By menacingly Touching Her Private Pert Physically - W- The express Intent To Penetrale Her Viginz or Possibly. A verbal Expression - W- A Menacing Administration
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34 -	FULL (VINDICTIVE POLICE'S - BY OF THE PLANES SHOULD BE WAYTEN FROM A SPITE
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AFTER (He) [Terd me my Rights - N-I Elected To Be SIGNE-AS-SO Advised -- At which Time (He) B. (2 Me Fully -NTOO brole willy Envised - For No Bessen -EXPECTED OF WELL-Trained Police OFFICER Exected Behavior -- For AN ASSUmed Level-Headed Body -- MENT Did (He) Get-Ever- So much So, A1272 VIVY-N-EVEY TACK DE That HOUSE -N-POLICE WELLECT - All-The way From Back-To MIN Front-At-The Devit-side of That Housen-Call-Out-To A FIGUYE, IN ISEMI DEVELOSS, LEZAING ON- ONE (1) OF THE YERICLES PLYTE OF ATTAC COZD. WIG - ASKING TO confirm I F That was (His) Musing B.B (2P-(He) Said YOS-p-Then IF I was THE ONE -- HE Sidaded Briefly - N- Quillely Sid Yes -- With Deft-AU-Bent-Out-OF Porportion - N-DIS herved-in Semi-partness, After Abot more Harsher Slam STOLON Apry Arzileble-Pol-venicle Tricluded. They bet DEFT. Sit bati ((They - The SEE-in-large Further Question-Tac-Alleged Witness. Thore After, The said Site feel Coming to pro the vehicle - a Shewing (His) Flesh begate on my uplex Toxso - Be wilderly: FIRELLY LOUDIN EXCLE MING -- There must Be Some Things Dristers ly larsing Here-The witness swore-vely-boupthet The Un Grown + worder Hed Dain A Bright. Green TOP -- This boy cant- Be-The-D Ne He-His-ON Dayteish Peat- a- Grey Sweet tox. But, 134 Then (They) Had RUN A Make - on Deft - N-Dire Said To Her Tatal Wing to, Hen A- 250 Registrent. After Reaching (o Tril, much more un-culced-for Scocke Oratelity Occurred - W-Every bittle proceedures. After (They) The Oce i bot ment sets. Sets-OF-Frager Head-Prints-13ut, Hill Demandung much move whill Franker: (She) Too Desertially Admained That None-OF The private miles pay a well converted to tall AH-N- DEFT EITHER- They DID THE PRINTED by From THE DOF DOORS + Oxfet - Clevile A Flex (A11) Other Type-of tra-recessive Forced Arutility Type Care modlance in Thewer it ing - Room to See The PS NOG TOCK - - Then It) bothoday (The) Filled (Me) To - Dan The mir-hip-N. As AM Affurence-of-hong Standing- (She) Told-me-(She) Ordert Bellett Fither. AFTER LZYING IN- MIXIUM SECURITY FOR APPX 610249160CT-ARZ CA. OSMORD IN DEET - POLVELLANTLY Released - But There Y DA - GOING SURVEILLENCE WIT SECONDER TON Fold Frey - Which-A-wise- Night-N-Dry - FUNDY I was Disgianley Atcased - Wo A- From A CAL PEN. CODE S. W. 2 61: Rape- The Proven Assimilton A Femel-W-Renfriton OF CON. Her Viginiz-wo-Her Permission -- (UN 1651 Bhr) 15-A-MI HOY -- NO CONSERF FROM SIME,

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Page 14 of 28 Τ. FROM: 2 . 3,4 THOMAS, JAMES FOWARD THE UN. ST. FED. DIST. CT. WAR DIST. OF CALIF. F-2119784 4,6B(JEUR (CN 228 FOR THE HONORABLE JUSTICE-W. PECKUM, PRES. Clo: THE OFFICE -OF THE CLERK THE FEDERAL COURT BUILDING, ANNOX PO O M. Lacollate Milian I AT 280 SOUTH FIRST STREET CICETAR 55670. DOG SAN JOSE, CALIFORNIA-99 11 3-5011. CIN-CC-58 7966/5W ADDIEM HOZ AROEK, CSP-SIF. SI-SP. 19 N-5-156953/USDET N. CV-OT: 05-1118-59A LOT B. DEFT. Here-by- N- Correctly so, Due to Too Miny Filse Legal Communicace Recovered Erraelly 3. Repusis An Uldatello AFETMATION OF (His) Purloyted Filed Rest For A HARRES COMBUS PETILODE Re 14. tracio - on- Hes Deceted Adoes, on 64-10-08) - But, no de sving- Todate, 425 Been Rocceved. ?? 5. 16. Dery Chief Prosiding Justice-W. Associates; Please be advised that I am 2 m indigent 17. In matt, Housed At CSP-Sacffollow Cal. Corr. Ficility, who has tried; Sceningly, In min 18. to Appeal His Frey dulent Spitefull Un- Supporting to which was lugo- Supers Thus FET: -To 9. Try-To-Righ-MZAy Wrongs, Much-To- OFfer, Thru The Courts Processiof Fliracts- of-) 0 her than the D. A. Comfroued Co. Superior CT. + x. ST. Appellate & Possesce, Accordances of-21. His views -- As long 21 tracy down but - out-of Controllies Doctly besteries Under Const 12. HIONEL Frounds OF THE COUNTY DEAL PROS. I WILLERE ALL-TEGENDS FOR SEME-WE HIS TOO deleger 23 Ite-M. Overt-M. SPIER FULL At VOCILIOUS LYOSS MIS-CONDUCTISI, THE MOVE-FALM, BZd-FLXER. 14. Which, liferelly-b- Vehimelly Depriorded Detts, OF (Hir) US. C. R-GULTENGLED BY THE USCAME L\$. - Which, IS-The Suframe Daw-OF- This Kyout broad-n- Possessions & And byz-The 14th Am 26it is widely Held lue hold that - No Citizen Shall Be hall Forcy De Brisad OF- buberte (Late-21 .. or Limbs - Wo- The Duc froless - N- Equal ExoLockions - OF The bear, 15-10- Provided Therein LS. The so-Called Purported-Ar-Daly Frisely Assumptive Mis- Carries were only Conceched-A 19. Tou Frisily (Trinfedly -N- SPITIFULLY Prosecuted, IN And Frith, Because ar OLPES Prior Very Frey delent Prior Arrest Recording The Co ben ENE arcament Agence's Spite Follow (, Sime For to - Blad 10-00exx tion or medical Confession as whother Thru heallot Free Feet UM-MILLESS ZVILY INJUTIONS TICTICS - OF MOST -- AND, MIST DEFINITELY, SECONTE OF DEATE 15-Flet Refuse 15-70 ASK For laccel zwy worth less neels - Period. In that The You closely 4. Survey Hete, Rot, Alux, Arrest Poff. For Such Horacul (remembed mel-Bearmort 9*5*. - Such 21; (24 Thiff/Poss. OF A Confrided Drag Mecalics / Commercial Burg (24y - Bur-61 \$124- W- The Poss- Burglery Tools - When A Futile Envertigation Tuppenage how 17-MORLIONS OF ELLA FOLK Gility .- The FILE (4 REPORTED TO COMPRETERY REPORTED THE FILE (GARGES 8. - N. Pleudoly Institutes & More Essite Convicted (a "Prounting or leeding" Ching all ,9. WITH (ALL) Their Too Closely Talling loousle-Checkering ALT The Are 2 OX DEFT, May (. -Dark-in IN order To Delay or Temporally Avoid Their Totanded Harasi me of - (They). . () have not Found and ALFF-OF= sociatel Violations, No whore. Except For the 12. Vare accesion some 700 Concerned (Suspeccons weighbor should spot **为**. -N-due TolTheir Mis-Trust Dislittes Thints Some-Things Fix A-Foot-Going wrong 14 Aux (All Prevdo Arrests They 240, Mostly, Tetrag Right There 45-Area of which I Travel To-Pro promy drily prophely 6. Just A Few FIS (BL) ca-F. (S. N. Kwas - Plus All The Pseudo [h] Supporting Frid-Nº NEW Feeble - The Substitute Ale đ-All This Too SpiteFull Me No Fictoring OF DNG Pole Assumptive Chirge 5-w. :{· N Refresentive Coll PD. To Deceive Deft | Brutz | Force Filty Not Allowing ٠٥٠ The Rest Fict DET Me Offer to Charges - To BE DISCLOSE demestor tactory we event subscribed town is LOVERT ATTOLITION 1 CO ENGLOW - WAS COLD TO TUST DE CEINE THE FORTH WILL TAKE A TOWN DEADLE ME 51.

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Case 4:08-cv-04068-SBA / Pocument 13 (rFiled 08/26/2008 Page 17 of 28 THOMAS, JAMES FOWARD THE UN. ST. FEO. OFFICE WAR OFFI. OF CALTE. F-21197 PAY, 6B (SEDR (CA228 FOR: THE HONORABUE TUSTICE-W. PECKUM, PRES. Clo THE OFFICE - OF - THE CLERK (() AT SACVE ONE OF CEACHER 10 0 10 19 and Pur E MORRETE THE FEDERAL COURT BUILDING, ANNEX At 280 SOUTH FIRST STREET Rearch Cictorna 55010-Dobe SAN JOSE, CALIFORNIA- 99113-5011. (IN-CC-5878U) SIX ADDIEM HOZ 9978 Re: THOMAS VS. J. WALKER WARDER CSP-SIF. ST. SP. CT N. 5-156563 LUSACT N. CV-OT: 05-118-594 (OT) DEFT. Here-by- N- Correctly so, Due to Too Ming Filse Legal Communicace Received there Itly Repuisis AN Ulditello AFETMZ TONDE (His) Purlortede Filed, BESt. For A HILERS COMBUS PETULODA Re Tracio - on- Hes Goleted Adderly on 64-10-08) - But, no 4ezving- Todate, Has Been Received. ?? Dezy Chief Prosiding Justice-N. Associates; Please he advised that I am In Indiquet INMERS, HOUSED AL CEP-SECFFOLSON CEL. LOTT. Ficility, who his tried, seemingly, INMIN to Appeal His Frey dulent (Spiteful Un-Supporting Languet 1005-luga- Sudes Thus Fet - To Try-To-Righ-Mary Wrongs, Much-To- OFFICE, Thru The Toures Processing Fliracis- of her then the D. A. Comfround Co. Superior CT. + M. ST. Appellites, Possesce, Accounted of His views - As long 21th acy and bet-out-of Controlles Doertly his lative. Under land Hierel Frounds of The County p. A I Pros. I will Fed Oil-reg 2rds for Seme-to- Hig Too belifter Ite-M- Overt-M-SPITE FULL At VOCITIONS LYOSS MIS-CONDUCTIST, THE MORE-FAIN, BID-FLYER. Which leferally-to- Vehemelly Deprivined Detts. OF (His) US. C.R-Guzrenteed By The USCAMS - Which, IS-The- Suframe GAW-OK-This Kyout broad-n- Possessions & And biz-The 14th AM it is widely Held luphold that - No Citizen Shall Be bull freig De Brived OF- biberty (Lifeor Limbs-Wo-The Duc Process-n- Equal Protections-of The bear, 15-10- Provided Therein The so-Called Purported-or- Duly Failly Assumptive mis Charges were any Concerned-a-Tou Frisily (Trinfedly - No SPite Fully Prosecuted, In And Frith, Because of Ocets Prior Very Frey deleaf Prior Arrest Recird No. The Co bear ENE are Ment Agence's Spite Followss Sime, For no-Blind 10-0 perstion or redical Controlling - whother Thru besident Forces UM-MILLESS ZYILY INJUTIOUS TICTICS - OF MO + -- AND, MIST DEFINITELY, BECOWER OF CHEET. Flet Refuse 15-70 Alk For laccell 2 my worth less mule - Period. In that The You closely would i twely Survey your Pot, Aluzy Arrest Poff. For Such Holmon! (rememel mel-Bealmore (Acti Such 21; (24 Theff/Poss. OF A Confrided Drug Mecolics / Commercial Burglary to Bur-\$124- b- The Poss- of- Burglery Tools . When A Fubile Savertigation Turning how forg. MORAGONS OF ELLA FOLK Gilify - The Fliffy Repased to completely remise The Fillelgarges - N. Claudoly Institutes & More Essike Convictedle Prouting or leeding Calycoli WITH (ALL) Their Too closely Talling Louble-Checkery ALT The Arez OX OFF, May Dirtin in order To Delzy on Temporally Avoid Their Intended Harris me of - (They). have tot Found and ACTP OF = 500 (2+21 VIOL2+coms, No where. Except For the MITE DECESSION Some TOO CONCEYNED ISUSTRECEOUS WEIGHDOY Show (& SPOK PEFT. -A-due TolTheir Mis-Trust Dislittes Thinks Some-Things Fix A-Foot- Goingwengs By AnylAll Prevdo Arrests They 240, Mostly, Tetras Right There IN That Iren Ridden Arca of which I Travel To-Pro on My drily I nightly Legit. Business: Fritist Just A Few FIS (Block-F. l. N. Kurg- Plus All The Pseudo [hzyles-of UN-SUPPORTING BUILDAY NEW FEEBLEY-The Substitute ALL Ali This Too Spite Full Mike Ficturias of any Poli Assumption Chirpeson Ma A NON Representive CORPD. To Deceive DEFF Brufz (Force Fitty Not Aclowing Corres - wer (ALL) To Tust De Ceur The Forplant - act A - Buck There Com 192 There Fore, I 2M ASKELMELYOUT ASSESTED ME TO COSTE & G. A SCENEZION AMY Receded Pending Accounts

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Case 4:08-cv-04068-SBA Document Filed 08/26/2008 Page 18 of 28 FROM THE UN. STEFED. DIST. CT. MRN.DST. OF CA. THOMAS, JAMES EDGORDED 2. 6BUL EOR (Co. 228 THE-OFFICE-DF-THE-CLERKH-N-THE HON. JUST. W. PECKIM, PRESTO. (S. F. AT SACRAME FEDERAL COURT RUILDING -ANN. 5 ATE 280 South FETST STREET SAN JOSE, CALIFORNIA-9513-- ESSCT.Kr 5-156443 THOMAS JUS WALKER J. WARDENT CSP. - SP.CT. N. CC-58341 MCACT. N. H-0 29,978 10 DEFT., HERE-BY DULY REQUEST'S FOR-AN-UPDATE-DR STATUSON-BELATED P. APPE 11 AL, NOW SUPPOSIDE Y PENDING THERE-IN-TENTATELY FILED APRIL 03.20082 12 13 Dear Six Wal ASSDC. Tustices There-OF, The Above Entitled Fed. Dist. Ct, NRV. D. 1(21. 14 IZM ENINCERCER Etcd Inmitry Housed here in 24 The CSP-SAC/FOL, CEL, State-15 Prison - . C.O.C. Carrection Fzcility, who, by the deliberate de Pregations-N-Com-16 Plete deNiz (-OF-(AII) U.S.C. gruranteed Rights And 17 In Very Bid-Fish, 25 windly, to deliberated Deceive/Cause 18 (1 20 7 (Fire-N-Peliberitaly Shine-DF- The COUNTY OF SINTE-73 - M-135 endo Purc Fabricated Mis-Carriage's - DF. Exected Justice's, many Times Ja-The-17286, with Deliberate Made-up, warma-be 2-4 Criminally Charges OF Some UN-Supporting 25 erztely pre-Fabricated Spite Furry - Wlo- 2ny Tangizhle 26 DY Supporte VE Fz ets to indicate's DeFt'S. Right Full 27 PrydiciPrtica 35 the Rightful PerPetrator of The Aliced 28 alogy or wrong Fully Criminally Accusation 25 in-145- Entirety- usually Inducation Detts. Non-involvement or first No Such 30 MIS- CONduct Right Fully Occured Oxwell to King- way Fees & raber Possible 31 32 Evidently Supportive Or Factorally Correct In That The 35 ing Circumstance & OF DEFT'S INVOLVEMENT- with 34 Supportive Witnesses OV Evidence -- EVERY 35 - with Substituted witnesses | Tribled Evidence-N-36 31 -N-COVERT Tactics ONLY TO 78 Pseudo Conviction (very flarsh-511 - Conceive lougthy (rue) sentence - with only the Ill-Fited quise-of-31 NOW-SUPPRESSIVE INVESTIGATION ONLY TO de Prive DOFF. OF (Its) Piberty 40 4((O.F)

Case 4:08-cv-04068-SBA Page 19 of 28 a THOMAS, JAMES EDWARD THE UN. ST. FED. DIST.LT. WAR DIST. OF CALTE. F-21197847,6B(JEOB (C. W. 228 FOR: THE HONORABUE JUSTICE-W. PECKUM, PRES. (() AT SACVE ONE ATO (FO CADO Clo THE OFFICE -OF THE CLERK PO O M. VE "CORUTE MORINETE THE FEDERAL COURT BUILDING, ANNOX 280 SOUTH FIRST STREET Regress Citterna 55670-DOGC SAN JOSÉ, CALIFORNIA-99113-CC-587941/54 ADDIEM H-02 9978 JAROEK, CSP-SIF - 51.50.17 K-5-156953 LUSOLT M. CV-04:05-1118-SAALEY DEFT. Here-by- N- Correctly to Due to Too Miny Filse Legal Communicate Received. Erroe Hite 3. Requisis AN UPdite 100 AFET MITTON OF (HIS) PUTPOTE DY FILED, REST. FOR A HIRRY COMPON PETELODU RE 14. treew - on- Hes De Cefed ABDELL, ON 104-10-08) - But, No He zving - Todate . Hzs Been Received. 22 5 -16. Dezy Chief Presiding Justice-N- Associates; Please be advised that I am In Indiquet 17. IN M248, Housed AL COD-SEC/ FOLSOM CEL. LOTT. Ficility, who her tried, Seemingly, IN Main 18. to Appeal His Frandulent Spitifull un supporting to which low subjects Thus Fati-To ۶. Tru-To-Righ-Many Wrongs, Much-To-OFTER, Thru The Courts Processiof Flit METS- Of-10 her than the D. A. Confrolled Co. Superior CT. Th. ST. Appellates, Posses Ce, Accordances of 21. His views -- As long 11th acy down tet-out-of Controllon Drevtly bealter to Under Const 120 Hiones trounds of The County D.A. [Pros. I WILLEND OUT- reg 2 rds for Same-to- High Too deliber-23 Ite-M- Overt-M-SPite Full Atvocidious Lyoss Mis-Conductis, In More-FALM, BZd-FLXER-14. Which, leferzug- N- Ve homedly DePrivated Detts, OF (His) US. C. P-Guzzeneced By The USCAME L5 -- Which, IS-The- Suframe DAW-OK- This Kyout broad-n- Possessions & And biz-The 14th Am 26it is widely Held lue hold that - No Citizen Shall Be bull forcy De Brind OF- bibertel Lite-21 -or Limbs-Wo-The Duc-Process-n- Equal ExoLockions-or The bear, 15-10- Provided Therein LS. The so-Called Purported-Ar-Daly Frisely Assumptive Aut Carrier were any Concerned-A 19. Tou Frisely (Trintedly -N- SPITE FULLY Prosecuted, In And Frith, Because are Depts Prior . 0 Very Frey delent Prior Agrest Record No. The Co bear ENE arcament Aspaces Spile Follow (, Same For to-Blind 10-0 Devation or medical Contession - whether Thru bestent 2. UM-MILLESS ZVILY IN JUTIOUS TICTICS - Or MO + - - And, MUST DEFINITE G, BECOUSE OF DEFE 15. Flet Refuse 15-70 ASK FOR LACCELL 2 my Worth less need - Period. In that The You close .4 . Survey year Pot, Aluz, Arrest Poff, For Such Her Doul (removed my - Be a worte (MET 35. Such 21; EZY Thiff / Poss. OF A Confrided Drap Mecolics / Commercial Burglary - Bur-61 \$1244- W- The Poss- OF- Burglary Tools - When A Futile Lawert's getion Turning the pacq 17. MORTIONS OF ELLA FOLK HILLY .. The FILE (& RECES es TO COMPRESCH RETMILE THE FILE (GARGES 8. - N. Pleudoly Institutes & More Essite Convicted (a "Prounting or Reeding Chlycolli ٠9, WITH (ALL) Their Too closely Tailing loousle-checking (ALI) The Are 2 OX DEFT, MEY, DETE-IN IN Order To Delzy or Temporally Avoid Their THENDED Harrist me of - (They)e t · have not, Found any ALFP-OF= sociatel Vislations, No whore. Fx celt For the 12. NOTE DICESION Some 700 CONCERNED (SUSPECCONS KEIGH ON Show (d 500 t ≯. -N-due TolTheir Mis-Trush Dislittes Thints Some-Things For A-Root- Going wrong 14 Aux (All Pleudo Arrests They 240, Mostly, Tetras Right There IN That Crem 85. Ridden Arca of which I Travel To-Pro onmy drily frightly 6. Just A Few FIS (Block-F. (S. N. Away - Plus All The Pseudo Supporting Buid-Nr NON Feeble - The Substitute All ð-All 7 his Too Spitofull Miku Flaturing OF DNG Poli Assumptive Chirse 5-w.M F. NON Representive CORPD. To Deceive DEFE Brutz Force Filty Not PICTOFTER OSE who (127505-TO BI DISCLOSEDEMEZ/TO FACTORY W. prett & begin the Attout tous (0 excess - was (AII) TO Tust be cause The Torpholi-zato A buse to be considered from the Resident Forms (0) - CP - CP - CP - Resident Fully submitted) 51,

A PARTIAL LAW-N-CASE CITATION, APP. IPERT., HEIRE, TO:

THOMAS NO WALTER-WARDEN, (SP-USDNRGWO-CV 0408-177)

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Plus, The Purelundis Potable Facts That would Greatly Aid DEFTS COUSE-CLOTERY The MIS-Guided Hyphotesis OF The Fraudo 10 of Mature OF The Spiteration Mendir Sively, Assum PHINE ONLY CHZIGES / FISSE ACC USE+CORS_ IS - WHEN THE DEP PUB DEF. FREYLY REFUSES TO INFORM / Tell (It/Them) The MOX Or maging pros. Falacy - N- Helpfull Clarifying Ul DOINT'S/True-Fred'S DFA-DISMISSEL OF THE PSEUDO Charges OF A-MIS-JO, BY THE Alleged (Pur Ported Eye-witnesses - ASTO Seping ANINTruder Dressed-IN-A-tought Green TOP-W-HIS BELL BELL COPON-DEFT, WITH-A-PINTEN-Grey TOP, NO-BBCLE-AMP ON-HIS-HERD/DETSON-POSSESSIONS/WES NOT APPRENETED IN-AROUND THE APT NOX Did ANY-OF- Inc 5210 Multitude-OF Finger-Prints biffed There-From My Hich" -- As Per The Controlling Case OF- Peo, US. Hirkes (1451), 39 (21. RP-15 24, P.714-123 IN here-By The Pros. Elected To Pros. A-DEFT-WIO-ANY Traging (Supportive Evid the reof. Where The Szid Witness Only Posstively In's The Introder's Mothery In The DEVITARE--WOTN-AND WOT The Intruder HIM SELF-NO-Future's Shipofformilled. DYDISTINGOIS (NG-MOTHS-- AND WO- ANY DOUBTS ABSOLI-NO- SETURI ASS. POSS. E. Shown Possibly Evid. Or Humanly Featible ... Not-By- WRIVING-OF HEAD SHY-WZYUS, AWZY From The Foot OF Abed Occupied 34 (3) People! The S.J. Police / A Pol. Venicle was Sitting in that Wied car lat -APPX to Block NIE OF That area - FULLY OBSETVING DOM, AS I PHIERed that area- Andal zon sure IF A had had any other clothing-on Grawy type-of- herd (over ing &- (He(It) would-have watiled (No Dull's Ch SAME (JET (08-11-08)

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-	UNITED STATES DISTRICT COURT		
8			
9	Northern DISTRICT OF CALIFORNIA		
10			
11	THOMAS, JAMES EDWARD) CASE NO.		
12	Petitioner/Plaintiff)) MOTION FOR APPOINTMENT		
) OF COUNSEL		
13	vs.)		
14	J. WALKER WARGIESP SE.) CY CC USANK CU_0408-1776 SAN Defendant/Respondent) Cu-0908-225900		
15	Detendant/Respondent) (0-0 q 05-2254 g et		
16	COMES NOW, Petitioner/Plaintiff James Edward Thomas		
17	respectfully requesting appointment of counsel pursuant to 28		
18	United States Code (U.S.C.), §1915(d). Appointment of counsel		
1.9	is necessary because Petitioner is a state prisoner, who is		
20	unlearned in the law, having only a 12th grade education;		
21	indigent and cannot afford to obtain counsel, and because of		
22	his incarceration, is unable to obtain crucial evidence under		

Although the District Court cannot appoint counsel per se MALLARD v. UNITED STATES COURT for the SOUTHERN DISTRICT OF IOWA, 490 U.S. 296, 307-308 (1989)), the District Court does, not have broad discretion to request counsel for indigents under 28 U.S.C., § 1915(d); however, the appointment of

discovery that only an attorney can obtain through cooperation.

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attorney, no legal issue is too complex, if the legal issue is in that attorney's field of expertise. But even a professional attorney is not expected to be competent outside his or her field of training. MALLARD v UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT of IOWA, 490 U.S. 296, supra). fore, how can a prisoner pro se litigant, with no more than a(n) his grade education, be expected to overcome complex procedural rules and answer responses prepared by teams of highly skilled and seasoned state's attorneys, whose only job is to thwart prisoner law suits? "Most actions require development of further facts during litigation and a pro se incarcerated litigant will seldom be in a position to investigate all the necessary facts to support WILBORN v ESCALDERON, 781 F.2d 1328, 1331 (9th the case." Cir. 1986)). Therefore, "Where the indigent is in no position to investigate crucial facts, counsel should be appointed MACLIN v FREAKE, 650 F.2d 885, 886 (7 th Cir. 1981)). It has long been held in this Circuit that "[it] might be that an appointed attorney could, by way of deposition, obviate the necessity of transporting the plaintiff, or, at least, preserve testimony for subsequent hearings." <u>UNITED STATES v</u> MADDEN, 352 F.2d 792, 793 fn.1 (9th Cir. 1965).

If the Court does not request that counsel represent

Petitioner, it is in all likelihood that Petitioner's/

Plaintiff's case will not only be prejudiced, but lost. Not

for want of meritorious claim, but rather for want of evidence

to prove [the] merit within the claims, which could have only

is reserved for exceptional circumstances. No clear definition of this standard exists, but it turns on the quality of two (2) basic factors. The two-prong test is:

"A finding of exceptional circumstances requires an evaluation of both 'the likelihood of success on the merits and the ability of the petitioner to articulate his claims pro se in light of the complexity of the legal issues involved.' Neither of these factors is dispositive and both must be viewed together before reaching a decision." TERRELL v BREWER 935 F.2d 1015 (9th Cir. 1991).

"First, the District Court should consider the merits of the indigent's claim. Even where the claim is not frivolous, counsel is often unwarranted where the indigent's chances of success are extremely slim, such as, 'because the law is clearly settled. Such action would be futile'". LIGARE v

HARRIS, 128 F.2d 582, 583 (7th Cir. 1942)).

petitioner/Plaintiff contends that he has passed the first prong of TERRELL v BREWER (supra) as his claim(s) are not meritless because under the 1996 Prison Litigation Reform Act, all in forma pauperis actions brought by prisoners are to be screened and summarily dismissed sua sponte if they are found to be frivolous, malicious, or fails to state a claim on which relief can be granted. RODGERS v DEBOE, 950 F.Supp. 1024, 1028 (S.D. Cal. 1977); 28 U.S.C. § 1915(e)(2)(B)(i) and (ii)).

Also, there is no "clearly settled" case law making the claim of "futile," as every such claim as presented in Petitioner's/Plaintiff's complaint must stand or fall on its own merit if the claims are supported by evidence, Petitioner/Plaintiff prevails, and if not, he loses.

Whether legal issues involved are complex or not is subjective. Certainly, to a qualified and skillfully trained

been obtained with and through the professional expertise and assistance of counsel.

CONCLUSION

For the foregoing reasons, and in the "Interest of fairness in justice, " Petitioner/Plaintiff respectfully that the Court appoint counsel in this matter before the Court.

Respectfully submitted,

DATED: Aug. 15, 2008

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Trancs - 6. Who MES Plaintiff/Petitioner

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Filed 08/26/2008

VICE

PROOF OF SERVICE

(C.C.P. §2015.5; 28 U.S.C. §1745

and I (am) (am not) a party to the within cause of action. My address is:

THOMAS, JAMES EDWARD

F-21197 / A-N GRID (BOP) C.228

CF PAT SECTEMENTO (FOLSON

PDB NO 29 0000 (ENSTONEST.

REProse, CLUROVNIL 96670-0060

On, ______, | served the following rouy and the following rouy and the following rous and t

The Applicable Conference Conference of Company of Missacrate of Every of the Use Amon the below named individuals by depositing true and correct copies thereof in the United State mail in Represa, California, with postage fully prepaid thereon, addressed as follows:

Ong 1. USFED. RIST. CT., NON

DIST. OF CLIFE

USFED. DISECT. Man. GISF. (E).

USFED. DISECT. Man. GISF. (E).

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GS GOLGE Cate Avil (S. France)

455 Golden Cate Avil (S. France)

I have read the above statements and declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct.

(Signature) Declarant

(2.7/2) FIRM!

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VS. WALKER, WARD, CSPSIE DIST. GT, NRW. DIST OF (AL. CV-OKOF 1778-15BA) Filed 6 CV-0408-2254 UG 22 2008 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

CTIONS FOR FILING A PETITION FOR A WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY UNDER 28 U.S.C. §§ 2254

NOTE / ATTN -- IMP. NOTE +10 N - . (3) Scope of 28 U.S.C. §§ 2254

Scope of 28 U.S.C. §§ 2254

Petition of some of a writ of habeas corpus under 28 U.S.C. §§ 2254 if you are in

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custody pursuant to the judgment of a state court in violation of the federal Constitution or federal laws. You may challenge either the fact or duration of your state sentence, however, any challenge to violations of the federal Constitution or federal law that affects the conditions, as opposed to the fact or duration, of your confinement should be brought in a civil rights complaint under 42 U.S.C. §§ 1983. If you want to file a civil rights complaint under 42 U.S.C. §§ 1983, you may do so on forms provided by the clerk of the court. Swithout 217-5 Nodojanz 174-4- 5.0) / 112145 041

Note that a petition for a writ of habeas corpus under 28 U.S.C. §§ 2254 will not be granted unless it appears that you have exhausted the remedies available in state court.

(They) ((low! - Same - aret AVP A (Wiles (rectching - 2n- Them) פנחו ל-גו- אנו בם בנתנת במוציות ל- אי-Filing a Petition II.

and (2) a check or money order for \$5.00 or an original Prisoner's Application to Proceed In Forma Pauperis. In addition to these instructions, this packet includes a petition for a writ of habeas corrus form and an Application to Proceed In Forma form and an Application to Proceed In Forma Pauperis. You must use the forms provided with this packet and not any other version. You should keep a copy of the petition and in forma pauperis application for your own records.

When you have completed the forms, mail the originals to Clerk of the United States District Court for the Northern District of California, 450 Golden Gate Avenue, Box 36060, San Francisco, CA 94102.

NOTE: If you previously filed a petition for a writ of habeas corpus in federal court that challenged the same conviction you are challenging now and if that petition was denied or dismissed with prejudice, you must first file a motion in the United States Court of Appeals for the Ninth Circuit for an order authorizing the district court to consider this petition. You may not file a second or unis polition. The a second of subsequent federal habeas petition without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b). Sarang million

Filling Fees and Sparparelass fortally forming ool - out III.

In order for the petition to be filed, it must be accompanied by the filing fee of \$5.00. If you are unable to pay the filing fee, you may petition the court to proceed in forma pauperis. A Prisoner's Application to Proceed In Forma Pauperis form for this purpose is included in this packet. You must ? complete the application, sign it and declare under penalty of perjury that the facts stated therein are correct. File the application with your petition and keep a copy for your records.

Petition Form IY.

Your petition must be legibly handwritten or typewritten, and you must sign it and declare under penalty of perjury that the facts stated in it are correct. Read the entire petition form before answering any questions. You will note that brief explanatory comments appear throughout the form. Read these are carefully before you answer the questions because they are intended to help you fill out the petition as ? well as ensure that you file your petition in the proper court.

Thomas, James Edward F-21147 / 14 6 Bit / EAR/ C. N. 228 CSP AT SACRAMENTO FEES OF POBMO JESON / STO MOTOM SA REPRESA CALIFORNIA- 95170-0016



The U.S. DIST FED. COURT, NAN. DESTICAL.

Clas The Orpsco-of The- Clerk

EEDERAL BULLOTOL ANNO,

200 SOUTH FERST STREET

SAN JOSE, CALIFORNIA- 95 113-

